

Uncertainty, fear plague community after travel ban

Immigrants, refugees and advocates express fear and apprehension over the Trump administration's immigration ban and their ability to travel at an ACLU of Oregon workshop on basic rights

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Nearly 40 people gathered in a large conference room at Portland State University's School of Social Work on Feb. 4, for American Civil Liberties Union of Oregon's "Know Your Rights" workshop.

The event was prompted by President Donald Trump's Jan. 27 immigration ban, barring people from seven Muslim-majority countries – Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen – from entering the United States for 90 days.

More than 100,000 visas have been revoked due to the ban. Airports, including Portland International Airport, have been scenes of chaos as protestors and pro-bono attorneys arrive to support immigrants who have been prevented from traveling and are instead interrogated. Deep-seated anxiety and fear that their families may be torn apart and refugees stuck in dangerous countries could die have spread throughout the Muslim community and beyond.

Some of that anxiety and indignation permeated the room at the ACLU of Oregon's workshop.

Attendees, including Muslim and non-Muslim people and people who spoke Arabic and English

as their first languages, came with questions regarding the civil rights of immigrants and refugees living in Portland, driven by a desire to help people in their communities affected by the ban.

A caseworker with Catholic Charities said,

"Many of my residents are really scared. I want to know what to tell them."

Two restaurant owners, not saying whether they employed Muslims or undocumented immigrants, came to learn about the rights of their employees. One owner said he noticed anxiety among many of his employees.

One attorney attended the workshop to find out how to get involved and help the people who need help most.

A manager of a Schools Uniting Neighborhoods, or SUN, program at a Portland high school – she did not want to say which – came to the workshop because

many of the students she works with are immigrants and refugees and she wanted to learn how to talk to high school students about their rights, the ban and their fears.

Kelly Simon, an attorney with the ACLU of Oregon, led the presentation and began talking about the executive order. The evening before the gathering, Feb. 3, James Robart, a Federal District Court judge in Seattle, issued a ruling temporarily blocking enforcement of the executive order in response to a lawsuit filed by Washington's attorney general.

As of press time, enforcement of the executive order continued to be blocked, while the Trump administration's appeal awaits a decision from the Court of Appeals for the Ninth Circuit.

The circumstances of people traveling from the seven countries has changed by the day or the hour since the ban was initially issued.

Uncertainty around how long the judicial block would last and what would happen next – when or if the Trump administration would file a successful appeal, if airlines would follow the ruling and allow immigrants and refugees to enter the United States – prevented Simon from giving attendees direct answers to some of their questions.

"Nobody knows exactly where we stand," Simon said at one point. "The nation-wide stay ... sounds excellent, it is excellent, but there are still some questions up in the air. It could be overturned very quickly."

She explained,

"We're all having to learn a lot very quickly because things are changing so quickly."

One woman asked about the visa status of international students at Portland State University.

"I think they should be very careful going anywhere right now," Simon responded.

"Visas that were revoked have been reinstated, but we don't know how long that would last."

"They don't have to give it to you," Rima Ghandour, a volunteer litigation attorney with the ACLU of Oregon, added. "They can make it stricter, they can make it harder for people."

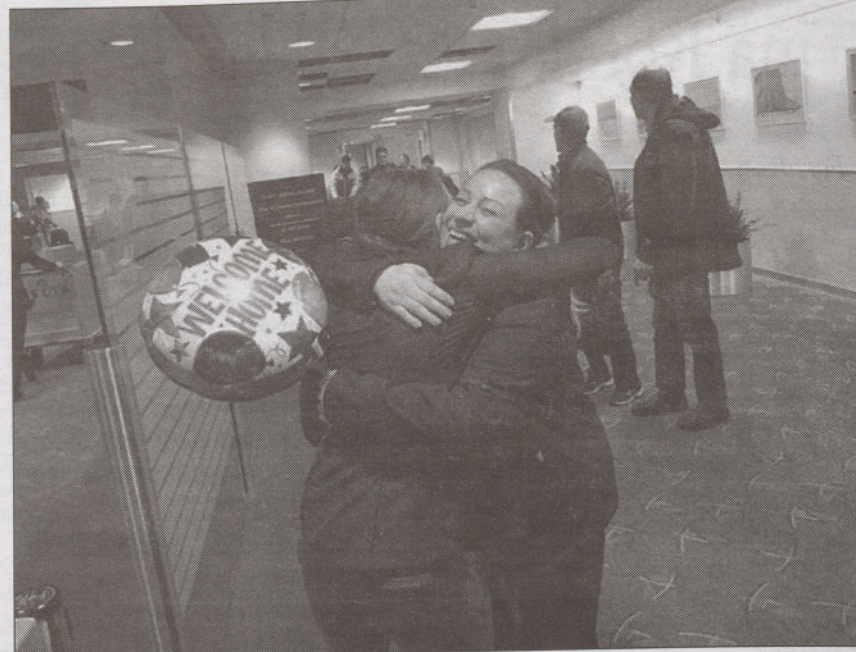


PHOTO COURTESY OF ACLU OF OREGON

ACLU of Oregon attorney Kelly Simon embraces an Iranian woman who was one of the first refugees to arrive at Portland International Airport after the travel ban was blocked by a federal judge in Seattle.

During the workshop, Ghandour interjected more than once to inform the group that KLM airline, followed by an airport in Beirut, Lebanon, had announced they would transport people from the seven countries in the executive order to the U.S., adding to the sense that the situation could change in any moment.

During her presentation, Simon talked about the various lawsuits challenging the ban that had been filed in different cities and states, including the federal lawsuit filed by the ACLU of Oregon on Feb. 1 arguing, in part, that people detained at Portland's airport must have access to legal counsel before being interrogated.

Simon also spoke about the rights citizens, naturalized citizens, immigrants and Muslims have under the Constitution's First Amendment, which, in part, prohibits the government from establishing or giving preference to one religion over others, and the Fifth Amendment, which states that no person "be deprived of life, liberty, or property, without due process of law."

"The ability to travel is considered a liberty," Simon said.

She also spoke about the Miranda rights, which ensure that people have the right to remain silent when questioned by law enforcement and the right to legal counsel. Simon told the audience that immigrants "do not have to talk to law enforcement," and that they do not have to provide proof of their immigration status if they did not have that documentation with them. She also stated that immigrants, if detained by Immigration and Customs Enforcement, are not required to sign any documents – which could strip them of their rights – and that people are not required to enter the passcode of their smart phones or other electronic devices for inspection.

Simon, essentially, reviewed the civil rights and liberties many people in the United States consider basic and fundamental and take for granted – such as the ability to board an airplane and travel outside the country.

"Let's say I want to go to Tunis or

Mexico," Tuba Kayaarasi, who works as an instructor assistant for the Immigrant and Refugee Communities Organization, asked during the workshop. She is from Turkey, a country not named in the executive order, and she is also a naturalized U.S. citizen.

"Should I just not go?" she asked. "The First and Fifth amendments protect me." She added that she was worried because, while she was a citizen, she was not born in the U.S.

"That (naturalized) citizenship can be stripped from you," Simon responded. "There's just risk."

Simon said Kayaarasi, like all naturalized citizens, are protected by the Constitution, but given the fluid situation around the executive order and hostility toward people from Muslim-majority countries, Kayaarasi may have to get a lawyer to advocate for those rights.

"Turkey is 99 percent Muslim," Kayaarasi responded. "There is 1 percent who are Armenians and Orthodox Greek. I could say I'm Orthodox Greek," she said, referencing the part of the executive order allowing members of minority religions in the seven countries, essentially Christians, to travel to the United States.

Ghandour replied that Kayaarasi probably would be able to travel without being stopped. But she encouraged Kayaarasi, and everyone else in the audience, to not travel unless absolutely necessary.

"Just hold off," Ghandour said. "Unless you have someone dying or an emergency. There is so much misinformation, even at customs. You could be caught up in that confusion and stopped when you shouldn't be."

Kayaarasi was near tears when she reflected on the fact that she could be stopped while traveling due to the executive order, even though she is a naturalized citizen, because she is Muslim.

"I felt trapped," she said. "It's just horrible. Even though you know that you have some rights as a citizen. Even the